

SIXTEENTH CONGRESS OF THE REPUBLIC )  
OF THE PHILIPPINES )  
Third Regular Session )



15 JUL 28 P3:41

SENATE  
S. No. 2875

RECEIVED BY: *J*

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Introduced by Senator Miriam Defensor Santiago

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AN ACT  
TO REQUIRE ELEMENTARY AND SECONDARY SCHOOLS  
TO HAVE MEDICAL AND DENTAL RECORDS OF THEIR STUDENTS

EXPLANATORY NOTE

The Constitution in Article 2, Section 13 provides that:

Section 13. The State recognizes the vital role of the youth in nation-building and shall promote and protect their physical, moral, spiritual, intellectual, and social well-being. It shall inculcate in the youth patriotism and nationalism, and encourage their involvement in public and civic affairs.

The importance of medical and dental records cannot be overemphasized. These records serve as the basis for treatment and diagnosis of patients. In extreme cases, these records can be used to identify persons who are burned beyond recognition. Even our Labor Code in its Implementing Rules, Section 10 (b) provides that the employer shall maintain a record of all medical examinations, treatments and medical activities given to its employees.

In the Philippines, we do not have a system of keeping track of our people's medical and dental records. Since majority of our people go to elementary and secondary schools, whether private or public, our schools can serve as the database collection center for medical and dental records. This bill aims to address the problem of the absence of sources of medical and dental records of our people.<sup>1</sup>

*Miriam Defensor Santiago*  
MIRIAM DEFENSOR SANTIAGO  
RP

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<sup>1</sup> This bill was originally filed during the Fourteenth Congress First Regular Session.

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Senate  
Office of the Secretary

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*Be it enacted by the Senate and House of Representatives of the Philippines in Congress assembled:*

1           Section 1. *Medical and Dental Records Requirement.* - All elementary and  
2 secondary schools, public or private, shall be required to have a database of their students  
3 medical and dental records upon the student's entrance in such schools and upon his or  
4 her entry into the grades prescribed by the Secretary of Health in regulations, provided  
5 that such regulations shall require that the records be updated at least twice during the  
6 elementary grades and twice in the secondary grades. An examination and health history  
7 of any child may be required by the local school authorities at any time in their discretion  
8 to promote the educational interests of such child. The medical and dental records shall  
9 be attached in a file that contains the student's academic records.

10           SECTION 2. *Valid Issuers of Medical and Dental Certificates.* - Each certificate  
11 in the medical and dental records shall be signed by a duly licensed physician, physician  
12 assistant, or nurse practitioner, in case of the medical certificate and a dentist in case of  
13 the dental certificate, who is authorized to practice in the jurisdiction in which the  
14 examination was given, provided that the Secretary of Health has determined that such  
15 jurisdiction has standards of licensure and practice comparable to those of the  
16 Philippines.

1           SECTION 3. *When Examination Should be Made.* - Each such certificate shall  
2 describe the condition of the student when the examination was made, which shall not be  
3 more than twelve (12) months prior to the commencement of the school year in which the  
4 examination is required, and shall state whether such student is in a fit condition of health  
5 to permit his or her attendance at the public or private schools.

6           SECTION 4. *Source of the Medical and Dental Records.* - The student has the  
7 choice of submitting to the school his medical and dental certificate which came from a  
8 legitimate source as prescribed in the preceding sections or be examined by the medical  
9 practitioner assigned in the school where he is to be enrolled. If such student does not  
10 present a health certificate as required in this section, unless he or she has been  
11 accommodated on religious grounds, the principal or the principal's designee shall cause  
12 a notice to be sent to the parents or person in parental relationship to such student that an  
13 examination will be made of such student, as provided in this Act.

14           SECTION 5. *Respect for Religious Beliefs.* - Notwithstanding the provisions of  
15 this Act, no examinations for a medical or dental certificate or medical or dental history  
16 shall be required where a student or the parent or person in parental relation to such  
17 student objects thereto on the grounds that such examinations or health history conflict  
18 with their genuine and sincere religious beliefs.

19           SECTION 6. *Separability Clause.* If any provision of this Act is held invalid or  
20 unconstitutional, the same shall not affect the validity and effectivity of the other  
21 provisions hereof.

22           SECTION 7. *Repealing Clause.* - All laws, decrees, executive order or rules and  
23 regulations inconsistent with this Act are hereby repealed or modified accordingly.

1           SECTION 8. *Effectivity Clause.* - This Act shall take effect fifteen (15) days after  
2 its publication in the *Official Gazette* or in two (2) newspapers of general circulation.

3           Approved.

/apm24July2015